

## Federal Aviation Administration, DOT

## § 65.46

(9) Radar alignment and technical operation.

(10) The application of the prescribed radar and nonradar separation standard, as appropriate.

[Doc. No. 10193, 35 FR 12326, Aug. 1, 1991, as amended by Amdt. 65-36, 56 FR 65653, Dec. 17, 1991]

### § 65.39 Practical experience requirements: Facility rating.

Each applicant for a facility rating at any air traffic control tower must have satisfactorily served—

(a) As an air traffic control tower operator at that control tower without a facility rating for at least 6 months; or

(b) As an air traffic control tower operator with a facility rating at a different control tower for at least 6 months before the date he applies for the rating.

However, an applicant who is a member of an Armed Force of the United States meets the requirements of this section if he has satisfactorily served as an air traffic control tower operator for at least 6 months.

[Doc. No. 1179, 27 FR 7973, Aug. 10, 1962, as amended by Amdt. 65-19, 36 FR 21280, Nov. 5, 1971]

### § 65.41 Skill requirements: Facility ratings.

Each applicant for a facility rating at an air traffic control tower must have passed a practical test on each item listed in § 65.37 of this part that is applicable to each operating position at the control tower at which the rating is sought.

### § 65.43 Rating privileges and exchange.

(a) The holder of a senior rating on August 31, 1970, may at any time after that date exchange his rating for a facility rating at the same air traffic control tower. However, if he does not do so before August 31, 1971, he may not thereafter exercise the privileges of his senior rating at the control tower concerned until he makes the exchange.

(b) The holder of a junior rating on August 31, 1970, may not control air traffic, at any operating position at the control tower concerned, until he has met the applicable requirements of § 65.37 of this part. However, before

meeting those requirements he may control air traffic under the supervision, where required, of an operator with a senior rating (or facility rating) in accordance with § 65.41 of this part in effect before August 31, 1970.

### § 65.45 Performance of duties.

(a) An air traffic control tower operator shall perform his duties in accordance with the limitations on his certificate and the procedures and practices prescribed in air traffic control manuals of the FAA, to provide for the safe, orderly, and expeditious flow of air traffic.

(b) An operator with a facility rating may control traffic at any operating position at the control tower at which he holds a facility rating. However, he may not issue an air traffic clearance for IFR flight without authorization from the appropriate facility exercising IFR control at that location.

(c) An operator who does not hold a facility rating for a particular control tower may act at each operating position for which he has qualified, under the supervision of an operator holding a facility rating for that control tower.

[Doc. No. 10193, 35 FR 12326, Aug. 1, 1970, as amended by Amdt. 65-16, 35 FR 14075, Sept. 4, 1970]

### § 65.46 Use of prohibited drugs.

(a) The following definitions apply for the purposes of this section:

(1) An *employee* is a person who performs an air traffic control function for an employer. For the purpose of this section, a person who performs such a function pursuant to a contract with an employer is considered to be performing that function for the employer.

(2) An “employer” means an air traffic control facility not operated by the FAA or by or under contract to the U.S. military that employs a person to perform an air traffic control function.

(b) Each employer shall provide each employee performing a function listed in appendix I to part 121 of this chapter and his or her supervisor with the training specified in that appendix. No employer may use any contractor to perform an air traffic control function unless that contractor provides each of its employees performing that function